

ESTTA Tracking number: **ESTTA462939**

Filing date: **03/21/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046185
Party	Plaintiff Amanda Blackhorse, Marcus Briggs, Phillip Gover, Shquanebin Lone-Bentley, Jillian Pappan, and Courtney Tsotigh
Correspondence Address	JESSE WITTEN DRINKER BIDDLE AND REATH LLP 1500 K STREET NW, SUITE 1100 WASHINGTON, DC 20005-1209 UNITED STATES Jesse.Witten@dbi.com, John.Ferman@dbi.com, Lee.Roach@dbi.com, Stephen.Wallace@dbi.com
Submission	Other Motions/Papers
Filer's Name	Jesse A. Witten
Filer's e-mail	Jesse.Witten@dbi.com, robertraskopf@quinnemanuel.com, toddanten@quinnemanuel.com, claudiabogdanos@quinnemanuel.com, dctrademarks@dbi.com
Signature	/Jesse A. Witten/
Date	03/21/2012
Attachments	Notice of Deposition - Tsotigh exhibits.pdf (56 pages)(3699000 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 1,606,810 (REDSKINETTES)

Registered July 17, 1990,

Registration No. 1,085,092 (REDSKINS)

Registered February 7, 1978,

Registration No. 987,127 (THE REDSKINS & DESIGN)

Registered June 25, 1974,

Registration No. 986,668 (WASHINGTON REDSKINS & DESIGN)

Registered June 18, 1974,

Registration No. 978,824 (WASHINGTON REDSKINS)

Registered February 12, 1974,

and Registration No. 836,122 (THE REDSKINS—STYLIZED LETTERS)

Registered September 26, 1967

Amanda Blackhorse, Marcus Briggs,)	
Phillip Gover, Jillian Papan, and)	
Courtney Tsotigh,)	
)	
Petitioners,)	
)	Cancellation No. 92/046,185
v.)	
)	
Pro-Football, Inc.,)	
)	
)	
Registrant.)	
_____)	

**ATTACHMENT TO PETITIONERS' NOTICE OF FILING OF DEPOSITION OF
COURTNEY TSOTIGH**

EXHIBITS 1-8

Respectfully Submitted,

/Jesse A. Witten/

Jesse A. Witten

Jeffrey J. Lopez

John D. V. Ferman

Lee Roach

Stephen J. Wallace

DRINKER, BIDDLE & REATH, LLP

1500 K Street, N.W., Suite 1100

Washington, D.C. 20005

Telephone: (202) 842-8800

Fax: (202) 842-8465

Email: Jesse.Witten@dbb.com

Counsel for Petitioners

Dated: March 21, 2012



Kiowa Tribe of Oklahoma
Tribal Identification Card

Courtney Adelle Tsotigh

Member Name

Gender: Female DOB: 08/22/1987

SSN: 441-92-7036

Enrollment Number: K11300

Degree of Kiowa: 1/2

Hair: Brown Eyes: Brown

HT: 66 in. WT: 170

Courtney Tsotigh

Member's Signature

7/25/2011

ISSUE DATE



Official Kiowa Tribe of Oklahoma Identification Card - Official Kiowa Tribe of Oklahoma Identification Card - Official Kiowa Tribe of Oklahoma Identification Card

It is hereby certified that the named individual whose photograph and signature appear on the reverse is an enrolled member of Kiowa Tribe of Oklahoma, a sovereign nation and a federally recognized Tribe.

This card is property of Kiowa Tribe of Oklahoma
If found please return to.

P.O. Box 389, Carnegie, Oklahoma 73015

Robert Tsotigh
Tribal Chairman

Lisa Korman
Enrollment Specialist



Redacted

Amanda Blackhorse

— Forwarded Message —

From: Suzan Harjo <suzanharjo@mac.com>

To: Amanda Blackhorse <amandablackhorse@yahoo.com>; Marcus Briggs-Cloud <fekecvte@aol.com>; Phil Gover <phil.gover@gmail.com>; Shquanebin Lone-Bentley <slone-bentley@hotmail.com>; Jillian Pappan <jillianpappan@yahoo.com>; Courtney Tsotigh <Ctsotigh@gmail.com>

Sent: Friday, January 8, 2010 2:46 PM

Subject: Blackhorse backgrounder/status

Dear All,

I've sent this to a number of people who've asked about the background and status of your case and ours, and I thought you might want a simple one-pager, as well.

Aho. Mvto.

Suzan



In re Registration No. 1,606,810 (REDSKINETTES)
Registered July 17, 1990,
Registration No. 1,085,092 (REDSKINS)
Registered February 7, 1978,
Registration No. 987,127 (THE REDSKINS & DESIGN)
Registered June 25, 1974,
Registration No. 986,668 (WASHINGTON REDSKINS & DESIGN)
Registered June 18, 1974,
Registration No. 978,824 (WASHINGTON REDSKINS)
Registered February 12, 1974,
and Registration No. 836,122 (THE REDSKINS—STYLIZED LETTERS)
Registered September 26, 1967

Cancellation No. 92/046,185

v.

Registrant.

Petitioner Courtney Tsotigh ("Petitioner") responds to Respondent Pro-Football, Inc.'s ("Respondent") First Request for Production of Documents and Things as follows:

A. Petitioner objects to the Requests to the extent they seek information or materials not in the Petitioner's custody, control and/or possession.

B. *Petitioner objects to each request to the extent that it is vague or ambiguous.*

C. *Petitioner objects to each request to the extent that it seeks information or materials subject to the attorney-client privilege, the work product doctrine, or any other applicable privilege. Petitioner makes this response on the condition that the inadvertent production of documents that contain information covered by any privilege, rule, or doctrine does not waive any of Petitioner's rights to assert such privilege, rule, or doctrine and that Petitioner may withdraw any such document inadvertently produced as soon as identified.*

D. *Petitioner objects to each Request to the extent that it imposes an unreasonable or undue burden on Petitioner.*

E. *Petitioner objects to each Request to the extent that it seeks information or material not reasonably calculated to lead to the discovery of admissible evidence.*

F. *Petitioner objects to each Request to the extent that it seeks documents that are publicly available including but not limited to publications in newspapers and other periodicals, government reports, public statements of organizations, published books, and materials readily available on the Internet.*

G. *Petitioner objects to the definition of "Respondent" (Respondent's Instruction 2) to the extent that it assumes that Petitioner has knowledge of the identity of all of Pro-Football, Inc.'s directors, officers, employees, agents and representatives.*

H. *Petitioner objects to the definitions of "Petitioner," "You" and "Your" (Respondent's Instructions 3 and 4) because those definitions are vague and ambiguous, overbroad and unduly burdensome, and not reasonably calculated to lead to the discovery of*

admissible evidence. By way of example, Respondent's definitions are so broad as to even require the Petitioner's attorneys to produce documents regarding their own personal activities, such as when they attended sports games or first became aware of Respondent's use of the marks. Subject to other objections, the Petitioner will produce only non-privileged responsive documents of the Petitioner.

I. Petitioner objects to Instructions 9, 10, 11, 12, 13, and 14 to the extent that the use of the referenced terms ("all," "each," "any," "all," "and," "or," singular and plural forms of words, and varying verb tenses) renders a Request subject to more than one reasonable interpretation and therefore vague or ambiguous.

J. Petitioner objects to Instructions 15 and 16 as inapplicable to requests for production of documents and things, unduly burdensome, and beyond the scope of Federal Rule of Procedure 34.

K. Petitioner objects to Respondent's Instruction 19 (regarding claims of privilege) because it is vague and ambiguous, unduly burdensome and seeks to impose obligations on Petitioner beyond what is permitted under Federal Rule of Civil Procedure 26 and 34. Notwithstanding this objection, Petitioner will produce a log of documents withheld on grounds of privilege.

L. Petitioner objects to Respondent's Instruction 21 (regarding destroyed documents) because it is vague and ambiguous, unduly burdensome and seeks to impose obligations on Petitioner beyond what is permitted under Federal Rule of Civil Procedure 34.

M. The responses set forth below are for the purposes of discovery only, and Petitioner neither waives nor intends to waive, but expressly reserves, any and all objections it may have to the relevance, competence, materiality, admission, admissibility, or use at trial of any information produced, identified, or referred to herein, or to the introduction of any evidence at trial relating to the subjects covered by such responses.

N. Petitioner expressly reserves its right to rely, at any time including trial, upon subsequently discovered documents or documents omitted from the specific responses set forth below as a result of mistake, oversight, or inadvertence.

O. The responses set forth below are based upon Petitioner's interpretation of the language used in the Requests, and Petitioner reserves its right to amend or to supplement its responses in the event Respondent asserts an interpretation that differs from Petitioner's interpretation.

P. By making these responses, Petitioner does not concede it is in possession of any documents responsive to any particular Request or that any response given is relevant to this action.

Q. Because Petitioner may not have discovered all the information that is possibly within the scope of the Requests, Petitioner expressly reserves its right to amend or to supplement these Objections and Responses with any additional information that emerges through discovery or otherwise.

INCORPORATION OF GENERAL OBJECTIONS

All of the foregoing General Objections are hereby restated and incorporated by reference into the Responses and Objections to each of the individually numbered Requests for production of documents and things.

RESPONSES AND SPECIFIC OBJECTIONS:

DOCUMENT REQUEST 1: All documents and things concerning your membership, employment, affiliation or connection as an officer, director, spokesperson, member, or other official, whether elected, appointed, volunteer or employed, with any Native American group, club, organization, institution or tribe, including but not limited to those listed next to your name in the Petition for Cancellation.

RESPONSE:

Petitioner objects to this request because it is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving Petitioner's specific and general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents sufficient to reflect Petitioner's membership in a tribe.

DOCUMENT REQUEST 2: All documents and things concerning any representation by you, or activities in which you have participated on behalf, of Native Americans.

RESPONSE:

Petitioner objects on the basis that this request is vague, ambiguous, overbroad, and unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

DOCUMENT REQUEST 3: All documents and things concerning support, sponsorship, analysis, criticism or disapproval of your participation in or claims asserted in this cancellation proceeding.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 4: All documents and things concerning communications with Respondent made by you or any group, organization, institution or tribe with which you are affiliated or connected, concerning the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols of the Washington Redskins football club or any of the registrations at issue.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 5: All documents and things concerning communications made by you or any group, club, organization, institution or tribe with which you are affiliated or connected, to any organizations, businesses, or individuals involved in the news media, concerning the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you contend to be associated with Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 6: All documents and things concerning communications made by you or any group, club, organization, institution or tribe with which you are affiliated or connected, as an officer, director, spokesperson, member, or other official, to any organizations, businesses, or individuals involved in the publication of books, magazines, journals, treatises, textbooks or reference works, concerning the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you contend to be associated with Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 7: All documents and things concerning communications made by you or any group, club, organization, institution or tribe with which you are affiliated or connected, as an officer, director, spokesperson, member, or other official, to any organizations, businesses, schools, professional and amateur sports teams or individuals other than Respondent, concerning the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you contend to be associated with Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 8: All documents and things concerning any response to you or any group, club, organization, institution or tribe with which you are affiliated or connected, as an officer, director, spokesperson, member, or other official, which concerns any such communication as set forth above in Document Request Nos. 4, 5, 6 and 7.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 9: All documents and things concerning any communication to you or any group, club, organization, institution or tribe with which you are affiliated or connected, as an officer, director, spokesperson, member, or other official, from any organization, entity, person, or group of persons concerning the Petition for Cancellation, the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols of the Washington Redskins football club or any of the registrations at issue.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 10: All documents and things concerning any communication to you or any group, club, organization, institution or tribe with which you are affiliated or connected, as an officer, director, spokesperson, member, or other official, from any organization, entity, person, or group of persons protesting the use of any trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you contend to be associated with Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 11: All documents and things concerning any formal or informal surveys, interviews, polls, investigations, studies or market research conducted by or for you or by or for any group, club, organization, institution or tribe with which you are affiliated or connected, concerning the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols of the Washington Redskins football club.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 12: All documents and things concerning the cancellation action Harjo v. ProFootball, Inc., Cancellation No. 92/021,069 (the "Harjo Action"), including but not limited to any communications between you and any of the petitioners in the Harjo Action.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents of the Petitioner, if any.

DOCUMENT REQUEST 13: All documents and things concerning the date on which you first learned of Respondent's use of each of the marks at issue and the date on which you first learned of Respondent's registration of the marks at issue.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 14: All documents and things concerning the basis for your claim of damage from the registration of the marks at issue and the extent of such alleged damage.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 15: All documents and things concerning any funds donated, given, bequeathed, granted, loaned or allocated to support your efforts to cancel the registrations at issue.

RESPONSE:

Petitioner objects to this request because it is unduly burdensome and is not reasonably calculated to lead to the discovery of admissible evidence.

DOCUMENT REQUEST 16: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are pejorative with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 17: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are derogatory with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 18: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are denigrating with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 19: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are offensive with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 20: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are scandalous with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 21: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are contemptuous with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 22: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are disreputable with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 23: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are disparaging with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 24: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are racist with regard to Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 25: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are offensive.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 26: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are disparaging.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 27: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue are scandalous.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 28: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue offend you.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 29: All documents and things concerning, supporting, contradicting or otherwise relating to your contention that the registrations at issue offend other Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 30: All documents and things concerning any disparagement, contempt, ridicule or disrepute directed at you or any group, club, organization, institution or tribe with which you are affiliated or connected, as an officer, director, spokesperson, member, or other official, based upon the term "redskins" or any of the registrations at issue.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 31: All documents and things concerning any collection of citations of the term "redskins" or any other of the registrations at issue from literature or other media sources.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 32: All documents and things concerning any speeches, articles, books, texts, contributions to periodicals, manuscripts or other presentations or writings, whether published or unpublished, that you have presented or written concerning the use of the term "redskins" or any other Native American terms, marks, symbols or imagery by amateur or professional sports teams or by commercial entities in a commercial context.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 33: All documents and things concerning any planned or actual attendance at any amateur or professional sporting game or event in which a sporting team, league, club or similar organization has or uses a name, nickname, mascot, logo, or any other identifying name or symbol which you contend to be associated with Native Americans.

RESPONSE:

Petitioner objects on the basis that this Request is unduly burdensome and is not reasonably calculated to lead to the discovery of admissible evidence.

DOCUMENT REQUEST 34: All documents and things concerning any possession or purchase of merchandise or any other product that is associated with any amateur or professional sporting team, league, club or similar organization that has or uses a name, nickname, mascot, logo, or any other identifying name or symbol which you contend to be associated with Native Americans.

RESPONSE:

Petitioner objects on the basis that this Request is unduly burdensome and is not reasonably calculated to lead to the discovery of admissible evidence.

DOCUMENT REQUEST 35: All documents relating to any expert witness you expect to testify on your behalf or on behalf of any group, organization, institution or tribe with which you are affiliated or connected, including, but not limited to, communications with you; documents

which refer or relate to the qualifications, field of specialization, and nature of testimony of each expert witness; and any documents, data, or other information considered by each expert witness.

RESPONSE:

Petitioner objects on the ground that this Request is premature. Petitioner will make documents responsive to this Request available for inspection and copying after the Petitioner is able to formulate a response and in accordance with the scheduling order and applicable rules of procedure.

DOCUMENT REQUEST 36: To the extent not covered by other Requests, all documents relating to any market or consumer studies, analysis, research, focus groups, testing, reports, articles, surveys, evaluations, assessments, and/or collections of data, conducted on your behalf or on behalf of or any group, club, organization, institution or tribe with which you are affiliated or connected, concerning any amateur or professional sporting team, league, club or similar organization that has or uses a name, nickname, mascot, logo, or any other identifying name or symbol which you contend to be associated with Native Americans.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents pertaining to the subject matter of this proceeding, if any.

DOCUMENT REQUEST 37: All documents upon which you intend to rely in this cancellation proceeding.

RESPONSE:

Petitioner objects on the ground that this Request is premature. Subject to and without waiving Petitioner's general objections and the foregoing objections, Petitioner will make documents responsive to this Request available for inspection and copying after the Petitioner is able to formulate a response and in accordance with the scheduling order and applicable rules of procedure.

DOCUMENT REQUEST 38: All documents produced by any of the Harjo action petitioners.

RESPONSE:

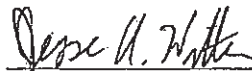
Subject to and without waiving Petitioner's general objections, Petitioner will produce; at a mutually convenient time and place, non-privileged responsive documents of the Petitioner, if any.

DOCUMENT REQUEST NO. 39: All documents concerning your policies or practices regarding retention, storage, filing and destruction of documents and things.

RESPONSE:

Subject to and without waiving Petitioner's general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

July 14, 2010



Phillip J. Mause

Jesse A. Witten

Jeffrey J. Lopez

John D. V. Ferman

Jacob Heyman-Kantor

Drinker, Biddle & Reath LLP

1500 K Street, N.W.

Washington, DC 20005

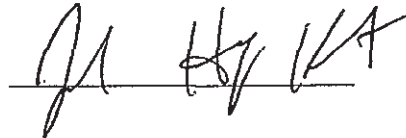
Telephone: (202) 842-8800

Counsel for Petitioners Amanda Blackhorse,
Marcus Briggs-Cloud, Phillip Gover, Shquanebin
Lone-Bentley, Jillian Pappan and Courtney Tsotigh

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 14, 2010, he caused a copy of the foregoing
Petitioner Courtney Tsotigh's Response To Respondent's First Request For Production Of
Documents And Things to be served by first class mail upon the following:

Robert Raskopf
Claudia T. Bogdanos
Lori Weiss
Todd Anten
QUINN EMANUEL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd floor
New York, NY 10010

A handwritten signature in black ink, appearing to be "JR Hg KA", written over a horizontal line.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 1,606,810 (REDSKINETTES)
Registered July 17, 1990,
Registration No. 1,085,092 (REDSKINS)
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Amanda Blackhorse, Marcus Briggs,
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Jillian Pappan, and Courtney Tsotigh

Petitioners,

v.

Pro-Football, Inc.

Registrant.

Cancellation No. 92/046,185

EXHIBIT

4

Tsotigh

**PETITIONER COURTNEY TSOTIGH'S RESPONSE TO RESPONDENT'S SECOND
REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS**

Petitioner Courtney Tsotigh ("Petitioner") responds to Respondent Pro-Football, Inc.'s
("Respondent") Second Request for Production of Documents and Things as follows:

GENERAL OBJECTIONS

A. Petitioner objects to the Requests to the extent they seek information or materials
not in the Petitioner's custody, control and/or possession.

B. Petitioner objects to each request to the extent that it is vague or ambiguous.

C. Petitioner objects to each request to the extent that it seeks information or materials subject to the attorney-client privilege, the work product doctrine, or any other applicable privilege. Petitioner makes this response on the condition that the inadvertent production of documents that contain information covered by any privilege, rule, or doctrine does not waive any of Petitioner's rights to assert such privilege, rule, or doctrine and that Petitioner may withdraw any such document inadvertently produced as soon as identified.

D. Petitioner objects to each Request to the extent that it imposes an unreasonable or undue burden on Petitioner.

E. Petitioner objects to each Request to the extent that it seeks information or material not reasonably calculated to lead to the discovery of admissible evidence.

F. Petitioner objects to each Request to the extent that it seeks documents that are publicly available including but not limited to publications in newspapers and other periodicals, government reports, public statements of organizations, and published books.

G. Petitioner objects to the definition of "Respondent" (Respondent's Instruction 2) to the extent that it assumes that Petitioner has knowledge of the identity of all of Pro-Football, Inc.'s directors, officers, employees, agents and representatives.

H. Petitioner objects to the definitions of "Petitioner," "You" and "Your" (Respondent's Instructions 3 and 4) because those definitions are vague and ambiguous, overbroad and unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. By way of example, Respondent's definitions are so broad as to even require Petitioner to respond with respect to Petitioner's attorneys. Subject to other objections, the Petitioner will produce only non-privileged responsive documents of the Petitioner.

I. Petitioner objects to Instructions 9, 10, 11, 12, 13, and 14 to the extent that the use of the referenced terms (“all,” “each,” “any,” “all,” “and,” “or,” singular and plural forms of words, and varying verb tenses) renders a Request subject to more than one reasonable interpretation and therefore vague or ambiguous.

J. Petitioner objects to Instructions 15 and 16 as inapplicable to requests for production of documents and things, unduly burdensome, and beyond the scope of Federal Rule of Procedure 34.

K. Petitioner objects to Respondent’s Instruction 19 (regarding claims of privilege) because it is vague and ambiguous, unduly burdensome and seeks to impose obligations on Petitioner beyond what is permitted under Federal Rule of Civil Procedure 26 and 34. Notwithstanding this objection, Petitioner will produce a log of documents withheld on grounds of privilege.

L. Petitioner objects to Respondent’s Instruction 21 (regarding destroyed documents) because it is vague and ambiguous, unduly burdensome and seeks to impose obligations on Petitioner beyond what is permitted under Federal Rule of Civil Procedure 34.

M. The responses set forth below are for the purposes of discovery only, and Petitioner neither waives nor intends to waive, but expressly reserves, any and all objections it may have to the relevance, competence, materiality, admission, admissibility, or use at trial of any information produced, identified, or referred to herein, or to the introduction of any evidence at trial relating to the subjects covered by such responses.

N. Petitioner expressly reserves its right to rely, at any time including trial, upon subsequently discovered documents or documents omitted from the specific responses set forth below as a result of mistake, oversight, or inadvertence.

O. The responses set forth below are based upon Petitioner's interpretation of the language used in the Requests, and Petitioner reserves its right to amend or to supplement its responses in the event Respondent asserts an interpretation that differs from Petitioner's interpretation.

P. By making these responses, Petitioner does not concede it is in possession of any documents responsive to any particular Request or that any response given is relevant to this action.

Q. Because Petitioner may not have discovered all the information that is possibly within the scope of the Requests, Petitioner expressly reserves its right to amend or to supplement these Objections and Responses with any additional information that emerges through discovery or otherwise.

INCORPORATION OF GENERAL OBJECTIONS

All of the foregoing General Objections are hereby restated and incorporated by reference into the Responses and Objections to each of the individually numbered Requests for production of documents and things.

RESPONSES AND SPECIFIC OBJECTIONS:

DOCUMENT REQUEST 40: All documents and things requested to be identified in Respondent's First Set of Interrogatories.

Response:

Petitioner objects because this Request is overbroad, unduly burdensome, vague, calls for production of material subject to attorney-client privilege or the work product doctrine, and is not reasonably calculated to lead to admissible evidence.

Subject to and without waiving Petitioner's specific or general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

DOCUMENT REQUEST 41: All documents and things identified in your responses to, or relied upon to respond to, Respondent's First Set of Interrogatories.

Response:

Petitioner objects because this Request is overbroad, unduly burdensome, vague, calls for production of material subject to attorney-client privilege or the work product doctrine, and is not reasonably calculated to lead to admissible evidence.

Subject to and without waiving Petitioner's specific or general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

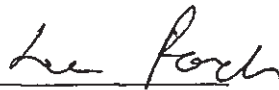
DOCUMENT REQUEST 42: All documents and things used in connection with the preparation of your responses to Respondent's First Set of Interrogatories.

Response:

Petitioner objects because this Request is overbroad, unduly burdensome, vague, calls for production of material subject to attorney-client privilege or the work product doctrine, and is not reasonably calculated to lead to admissible evidence.

Subject to and without waiving Petitioner's specific or general objections, Petitioner will produce, at a mutually convenient time and place, non-privileged responsive documents, if any.

September 3, 2010



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and Courtney Tsotigh

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 3, he caused a copy of the foregoing Petitioner Courtney Tsotigh's Response To Respondent's Second Request For Production Of Documents And Things to be served by first class mail upon the following:

Robert Raskopf
Claudia T. Bogdanos
Lori Weiss
Todd Anten
QUINN EMANUEL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd floor
New York, NY 10010

Lee Rouch

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 1,606,810 (REDSKINETTES)
Registered July 17, 1990,
Registration No. 1,085,092 (REDSKINS)
Registered February 7, 1978,
Registration No. 987,127 (THE REDSKINS & DESIGN)
Registered June 25, 1974,
Registration No. 986,668 (WASHINGTON REDSKINS & DESIGN)
Registered June 18, 1974,
Registration No. 978,824 (WASHINGTON REDSKINS)
Registered February 12, 1974,
and Registration No. 836,122 (THE REDSKINS—STYLIZED LETTERS)
Registered September 26, 1967

Amanda Blackhorse, Marcus Briggs,
Phillip Gover, Shquanebin Lone-Bentley
Jillian Pappan, and Courtney Tsotigh

Petitioners,

v.

Pro-Football, Inc.

Registrant.

Cancellation No. 92/046,185

**PETITIONER COURTNEY TSOTIGH'S RESPONSE TO RESPONDENT'S
FIRST SET OF INTERROGATORIES**

GENERAL OBJECTIONS

Petitioner Courtney Tsotigh ("Petitioner") responds to Respondent Pro-Football, Inc.'s
("Respondent") First Set of Interrogatories as follows:

- A. Petitioner objects to each Interrogatory to the extent that it is vague or ambiguous.
- B. Petitioner objects to each Interrogatory to the extent that it seeks information
subject to the attorney-client privilege, the work product doctrine, or any other applicable

EXHIBIT

5

Tsotigh

privilege. Petitioner makes this response on the condition that the inadvertent disclosure of information covered by any privilege, rule, or doctrine does not waive any of Petitioner's rights to assert such privilege, rule, or doctrine.

C. Petitioner objects to each Interrogatory to the extent that it imposes an unreasonable or undue burden on Petitioner.

D. Petitioner objects to each Interrogatory to the extent that it seeks information not reasonably calculated to lead to the discovery of admissible evidence.

E. Petitioner objects to each Interrogatory to the extent that it seeks information that is publicly available including but not limited to information in newspapers and other periodicals, government reports, public statements of organizations, and published books.

F. Petitioner objects to the definition of "Respondent" (Respondent's Instruction 2) as unduly burdensome because Petitioner does not know, and cannot reasonably ascertain, all of the directors, officers, employees, agents, and representatives of Pro-Football, Inc.

G. Petitioner objects to the definitions of "Petitioner," "You" and "Your" (Respondent's Instructions 3 and 4) because those definitions are vague and ambiguous, overbroad and unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. By way of example, Respondent's definitions are so broad as to even require Petitioner to respond with respect to Petitioner's attorneys. Subject to other objections, Petitioner will respond to the Interrogatories only as to Petitioner.

H. Petitioner objects to Instructions 9, 10, 11, 12, and 13 to the extent that the use of the referenced terms ("all," "each," "any," "all," "and," "or," singular and plural forms of words, and varying verb tenses) renders an Interrogatory subject to more than one reasonable interpretation and therefore vague or ambiguous.

I. Petitioner objects to Respondent's Instruction 22 (regarding claims of privilege) because it is inapplicable to an interrogatory, unduly burdensome, and beyond the scope of Federal Rule of Procedure 33.

J. The responses set forth below are for the purposes of discovery only, and Petitioner neither waives nor intends to waive, but expressly reserves, any and all objections it may have to the relevance, competence, materiality, admission, admissibility, or use at trial of any information produced, identified, or referred to herein, or to the introduction of any evidence at trial relating to the subjects covered by such responses.

K. Petitioner expressly reserves its right to rely, at any time including trial, upon subsequently discovered information or information omitted from the specific responses set forth below as a result of mistake, oversight, or inadvertence.

L. The responses set forth below are based upon Petitioner's interpretation of the language used in the Interrogatories, and Petitioner reserves its right to amend or to supplement its responses in the event Respondent asserts an interpretation that differs from Petitioner's interpretation.

M. Because Petitioner may not have discovered all the information that is possibly within the scope of the Interrogatories, Petitioner expressly reserves its right to amend or to supplement these Objections and Responses with any additional information that emerges through discovery or otherwise.

N. By making these responses, Petitioner does not concede that any response given is relevant to this proceeding.

O. Petitioner objects to Instruction 19 as vague and incomprehensible.

INCORPORATION OF GENERAL OBJECTIONS

All of the foregoing General Objections are hereby restated and incorporated by reference into the Responses and Objections to each of the Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 1. State:

- (a) your full name;
- (b) your residence since 1996;
- (c) your date and place of birth;
- (d) your social security number;
- (e) your employment since 1996, including the name, address and type of business of your employer(s), the dates of your employment for each employer and your position(s) or job title(s) for each employer; and
- (f) all educational institutions you have attended after high school, including the dates of attendance, your major fields of study and degrees earned, if any.

RESPONSE:

Subject to and without waiving the general objections, Petitioner responds as follows:

(a) Petitioner's full name is Courtney Adelle Tsotigh.

(b) Since January 1996, Petitioner has lived in Moore, Oklahoma.

(c) Petitioner was born on August 22, 1987, in Lawton, Oklahoma.

(d) Petitioner objects because this Interrogatory seeks sensitive information and is not reasonably calculated to lead to admissible evidence.

(e) Petitioner was a waitress in 2004 at Del Rancho Restaurant in Moore, Oklahoma.

Petitioner was a waitress at the Sonic Drive-In in Moore, Oklahoma from June through September 2004, and from June through September 2006. Petitioner was a receptionist and physical trainer at Southern Athletic Club in Moore, Oklahoma from April 2007 through April 2008. Petitioner was a sales clerk at Foot Locker in Moore, Oklahoma from November 2006 through April 2007. Petitioner was a receptionist at Oklahoma City University in Oklahoma

City, Oklahoma from June through August 2008. Petitioner taught health and wellness at Oklahoma City Public Schools from May 2008 through July 2008 and May 2009 through July 2009. Petitioner also taught health and wellness at Shawnee Public Schools from May 2010 through July 2010.

(f) Petitioner attended Oklahoma City University from August 2006 through December 2009, where she earned her Bachelor of Science degree in Kinesiology and Exercise Science. Petitioner currently attends the University of Oklahoma, where she began in August 2010, and is working toward her Masters degree in Education..

INTERROGATORY NO. 2. Identify Oklahoma City University and describe your relationship, affiliation or connection thereto, including:

- (a) identify and describe all positions held by you, including "student" as stated in the Petition for Cancellation, the dates you held each position and the duties and responsibilities for each position; and
- (b) identify all officers and directors of the Oklahoma City University since 2001.
- (c) identify and describe all communications concerning the University's support, sponsorship, criticism or disapproval of your participation in or claims asserted in this cancellation proceeding.

RESPONSE:

Petitioner objects because this Interrogatory is compound, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner held no other positions at the University other than student. The President of the University was Tom McDaniel from 2000 through 2010. Petitioner cannot recall all of the officers and directors of the Oklahoma City University since 2001, but recalls that the Vice President and Provost was, at one point, Bernie Patterson, the Vice President for Student Affairs was at one point Rick Hall, the Bishop was at one point Robert Hayes, and the Trustee was at one point Reverend David Wilson. The Director of Residential Life was John Riggs.

INTERROGATORY NO. 3. Identify the General Commission on Religion and Race and describe your relationship, affiliation or connection thereto, including:

- (a) identify and describe all positions held by you, including "board member" as stated in the Petition for Cancellation, the dates you held each position and the duties and responsibilities for each position;
- (b) identify all leaders, officers and directors of the General Commission on Religion and Race since 2001; and
- (c) identify and describe all communications concerning the General Commission on Religion and Race's support, sponsorship, criticism or disapproval of your participation in or claims asserted in this cancellation proceeding.

RESPONSE:

Petitioner objects because this Interrogatory is compound, overbroad, unduly burdensome, seeks information that is publicly available and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

The Commission is a national organization affiliated with the United Methodist Church. The Commission advocates against injustice, particularly on the mascot issue. Some of its activities include writing letters to school districts, speaking to communities about cultural competency and understanding, and supporting poor Indian reservations and immigrant communities.

Petitioner was a youth board member of the Commission from September 2004 through September 2008. Youth board members represent the concerns of 12-18 year olds at the annual meetings. The Petitioner was the liaison for the Norman First United Methodist Church, which is a member of the Oklahoma Indian Missionary Conference. The Petitioner has been a member of the Norman Church since 2001. The United Methodist Church passed a resolution not to hold meetings in cities that support teams with racist mascots, such as Washington, D.C. (because of the Washington NFL team) or use companies affiliated with racist mascots. Other than this

action, the Conference, the United Methodist Church, and the Norman Church have not commented on this lawsuit to her knowledge.

Petitioner cannot recall all of the officers and directors of the Commission since 2001, nor can she recall all of the officers and directors of the Conference. Petitioner does recall that, at one point, the Conference's director was Chester Jones, its Assistant Director was Suanne Wear Diaz, its superintendant has been Reverend David Wilson since 2004, and its Bishop has been Robert P. Hayes since June 2008.

INTERROGATORY NO. 4. Identify the Kiowa Tribe of Oklahoma and describe your relationship, affiliation or connection thereto, including:

- (d) identify and describe all positions held by you, including "registered member" as stated in the Petition for Cancellation, the dates you held each position and the duties and responsibilities for each position;
- (e) identify all leaders, officers and directors of the Kiowa Tribe of Oklahoma since 2001; and
- (f) identify and describe all communications concerning the Kiowa Tribe of Oklahoma's support, sponsorship, criticism or disapproval of your participation in or claims asserted in this cancellation proceeding.

RESPONSE:

Petitioner objects because this Interrogatory is compound, overbroad, unduly burdensome, seeks information that is publicly available and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner has been a Kiowa member since she was born, but has had no other roles in the Tribe. The Tribe Chairman has been Ron Twohatchet since July 2010. Prior to him, the Tribal Chairman was Billy Horse, from July 2008 through July 2010. Petitioner cannot recall the Tribal Chairman or other Tribal Leaders prior to July 2008. Petitioner is also unaware of any

communications concerning the Kiowa Tribe of Oklahoma's support, sponsorship, criticism or disapproval of her participation in or claims asserted in this cancellation proceeding.

INTERROGATORY NO. 5. Identify and describe all relationships, affiliations or connections you have with any Native American group, club, organization, institution or tribe, including but not limited to any relationship, affiliation or connection in a legal, representative, elected, appointed, employed or membership capacity. For each such relationship, affiliation or connection, identify and describe:

- (a) the extent, responsibilities, benefits, entitlements and dates of your relationship, affiliation or connection; and
- (b) all documents concerning the relationship, affiliation or connection, including ones authorizing you to speak on behalf of any of the groups identified above.

RESPONSE:

Petitioner objects because this Interrogatory is compound, overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

In addition to the Kiowa Tribe of Oklahoma and the Oklahoma Indian Methodist Conference, Petitioner is the secretary of the Pawnee Indian Methodist Church, and has been since July 2010. This church is in the Oklahoma Indian Methodist Conference. Petitioner is also a member of the Oklahoma City University Native American Student Association. She served on the Powwow Committee from 2006 to 2007, as Vice President from 2007 to 2008, and again on the Powwow Committee from 2008 to 2009. Petitioner was honored as Miss Indian, Oklahoma City, 2008-2009. This was sponsored by Changing Winds Cultural Society. Petitioner is also a Founder of the Oklahoma City University Gamma Delta Pi American Indian Sisterhood, has been a member since September 2008, and has served as the Alumnae Secretary in 2010.

INTERROGATORY NO. 6. Identify and describe all communications with Respondent made by you or any group, club, organization, institution or tribe with which you are related,

affiliated or connected, concerning the trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols of the Washington Redskins football club or any of the registrations at issue. For each such communication, also identify and describe the response to the communication from any person, including but not limited to Respondent.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None of which Petitioner is aware.

INTERROGATORY NO. 7. Identify and describe all communications between you or any group, club, organization, institution or tribe with which you are related, affiliated or connected, and any organizations, businesses or individuals involved in the news media, concerning the registrations at issue, the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans. For each such communication, identify and describe any documents pertaining thereto.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 8. Identify and describe all communications between you or any group, club, organization, institution or tribe with which you are related, affiliated or connected, and any organizations, businesses or individuals involved in the publication of books, magazines, journals, treatises, textbooks or reference works, concerning the registrations at issue, the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans. For each such communication, identify and describe any documents pertaining thereto.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 9. Identify and describe all communications between you or any group, club, organization, institution or tribe with which you are related, affiliated or connected, and any organizations, businesses, individuals, schools or professional and amateur sports teams other than Respondent, concerning the registrations at issue, the term "redskins" or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans. For each such communication, also identify and describe the response or reaction concerning the communication.

RESPONSE:

Petitioner objects because information responsive to this Interrogatory is subject to attorney-client privilege and the Interrogatory itself is overbroad, unduly burdensome and not reasonably calculated to lead to admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 10. Identify and describe any formal or informal surveys, investigations, studies, interviews, polls or market research conducted by or for you, or by or for any group, club, organization, institution or tribe with which you are related, affiliated or connected, concerning the term "redskins" or any of the trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying symbols of the Washington Redskins football club.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and is vague and

ambiguous with respect to the use of the terms “surveys, investigations, studies, [and] interviews.” Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 11. Identify the date on which you first learned of (a) Respondent’s use of each of the terms or symbols or other matter in any of the registrations at issue and (b) Respondent’s registration of each of the marks at issue.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome, vague and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner does not recall the precise date she first learned of Respondent’s use or registration of the term “redskins,” but she has been generally aware of the term since she was a young child. When Petitioner first attended public elementary school, she began to learn about the use of racist terms like “redskins.”

INTERROGATORY NO. 12. Describe the basis for your belief that you have been, are, and/or will be damaged from the registrations at issue, including but not limited to any monetary damage, any non- monetary damage, and the extent to which you allegedly are damaged in either capacity.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome and vague. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner has been damaged by the registrations because they disparage her culture, personal heritage and identity.

INTERROGATORY NO. 13. Identify and describe the sources of any funds donated, given,

bequeathed, granted, loaned or allocated to support your efforts to cancel the registrations at issue.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 14. Identify any other lawsuits, proceedings, civil actions and criminal actions in which you have participated concerning any trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 15. Identify and describe any services by you as a lobbyist or publicist, or your hiring or use of a lobbyist or publicist to work on your behalf, in connection with any issues concerning any trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 16. Identify and describe any services by any group, club, organization, institution or tribe with which you are related, affiliated or connected, as a lobbyist or publicist, or their hiring or use of a lobbyist or publicist to work on their behalf, in connection with any issues concerning any trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans.

RESPONSE:

Petitioner objects because this Interrogatory is vague, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 17. Identify and describe all facts that support your belief that the term "redskin" is "pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging and racist," as stated in paragraph 1 of the Petition for Cancellation.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and premature because Petitioner is still gathering evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Many dictionaries and other reference sources support the belief that the term "redskin" is "pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable and racist." In addition, Petitioner's experience and knowledge regarding how the term "redskin" is and has been used in the English language (especially in contrast to how other terms like "Native American," "Indian" and "American Indian" are used) supports Petitioner's belief. The fact that others have also expressed the understanding that "redskins" is an offensive or disparaging term also supports Petitioner's belief. For example, in 1999, the Trademark Trial and Appeals Board held that the term "redskin" is disparaging towards

Native Americans. Similarly, many religious, civic and civil rights organizations, Native American organizations, and government entities have adopted resolutions or issued statements objecting to the name of the Washington NFL team because the term “redskins” is offensive and disparaging. Many organizations filed amicus curiae briefs filed in the *Harjo* matter stating that the term “redskins” is disparaging. Many newspaper and other media articles and editorials have also objected to the Washington Redskins team name as offensive and disparaging.

INTERROGATORY NO. 18. Identify and describe all facts that support your belief that additional matter in the registrations at issue is “offensive, disparaging and scandalous,” as stated in paragraph 1 of the Petition for Cancellation. For each fact given:

- (a) identify the date you first learned of that fact; and
- (b) identify and describe all documents supporting your belief.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, vague and unduly burdensome. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Any derivation of the term “redskins” is offensive. Additionally, the trademarks which associate Native Americans with a spear are offensive, as are the trademarks that depict a stereotypical image of a Native American man with long hair, a stern, warrior-like image, and a severe curvature on his nose. These images reinforce a stereotypical image of Native peoples.

The marks also stereotype Native American use of feathers.

INTERROGATORY NO. 19. Identify and describe any other terms or symbols other than those contained in the registrations at issue which you find to be pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging, racist or similarly objectionable as to Native Americans.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome, vague,

and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner also objects to use of the terms such as "warriors," "savages," "plainsman," and similar terms to describe Native Americans. Nevertheless, Petitioner finds the term "redskins" far more offensive than these terms, because it is very obviously a racist term used to describe Native Americans.

INTERROGATORY NO. 20. Identify and describe any terms or symbols used to describe Native Americans which you do not find to be pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging, racist or similarly objectionable.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome, vague and ambiguous. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 21. Identify and describe all Native American individuals, groups, clubs, institutions or tribes that disagree with your claim that the term "redskins" or the marks at issue are pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging or racist.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 22. Identify and describe all professional and amateur sports teams or organizations other than Respondent which use terms or symbols you find to be pejorative,

derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging or racist. For each sports team or organization named above, describe the actions, if any, taken by you or any group, organization, institution or tribe with which you are related, affiliated or connected, concerning the use of those terms.

RESPONSE:

Petitioner objects because this Interrogatory is compound, overbroad and unduly burdensome. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner also objects to use of the terms such as "warriors" or "savages" as a team name, when connected with Native Americans. Nevertheless, Petitioner finds the term "redskins" far more offensive than these terms, because it is very obviously a racist term used to describe Native Americans.

INTERROGATORY NO. 23. Identify and describe all persons or entities who have informed you in any manner they regard the term "redskins" or any of the marks at issue as pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging or racist.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, vague, unduly burdensome, not reasonable calculated to lead to the discovery of admissible evidence, and seeks information protected by the work product doctrine and the attorney-client privilege. Petitioner interprets this interrogatory as referring to occasions in which a person or entity has directed a communication specifically towards Petitioner, and not to the general public. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

At least the following individuals have informed Petitioner that they regard the term "redskins" and the marks at issue as pejorative, derogatory, denigrating, offensive, scandalous, contemptuous, disreputable, disparaging or racist: Suzan Harjo, as well as many of Petitioners

friends, members of her family, and classmates in school.

INTERROGATORY NO. 24. Identify and describe each instance, if any, in which you, or any Native American person known to you, have owned, bought, found, possessed, or been given any item bearing any of the marks at issue or any of Respondent's other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans. For each instance, identify and describe:

- (a) the item;
- (b) the date involved; and
- (c) whether you still have possession of the item.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Petitioner also objects to the extent that this interrogatory would cover newspapers, books, published matter, computers temporarily displaying the marks on an Internet page, and similar items. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None of which Petitioner is aware.

INTERROGATORY NO. 25. Identify and describe each instance, including the relevant dates, if any, in which you, or any Native American person known to you, have been a spectator to all or part of a Washington Redskins football game, whether in person, on television, by radio, by Internet, or by some other medium.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None of which Petitioner is aware.

INTERROGATORY NO. 26. Identify all speeches, articles, books, texts, contributions to periodicals, manuscripts and other presentations or writings, whether published or unpublished, you have presented or written concerning Native American issues.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

None.

INTERROGATORY NO. 27. Identify all experts you expect to call as a witness during the trial testimony period of this proceeding and for each expert, describe the subject matter of the testimony, the facts and opinions to be offered, and the bases for those opinions.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome and premature. Petitioner has not yet made a determination as to the witnesses, if any, she intends to call in this proceeding.

INTERROGATORY NO. 28. Identify and describe all communications with any of the petitioners in the cancellation action Harjo v. Pro-Football, Inc., Cancellation No. 92/021,069—namely, Suzan Shown Harjo; Raymond D. Apodaca; Vine Deloria, Jr.; Norbert S. Hill, Jr.; Mateo Romero; William A. Means; and Manley A. Begay, Jr.—concerning the registrations at issue, the term “redskins,” or any other trade names, trademarks, service marks, nicknames, mascots, logos, or other identifying names or symbols which you claim to be associated with Native Americans. For each such communication, also identify and describe any response to the communication from any person or organization.

RESPONSE:

Petitioner objects because this Interrogatory is overbroad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence, and seeks information subject to and without waiving the work product doctrine. Subject to and without waiving the general or specific objections, Petitioner responds as follows:

Petitioner has spoken with Suzan Harjo about the Petition to cancel the Respondent's

registration.

INTERROGATORY NO. 29. Identify all persons from whom you or anyone acting on your behalf have obtained a statement in connection with this cancellation proceeding.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome, vague, ambiguous, unclear, and seeks information protected by attorney-client privilege and the work product doctrine.

INTERROGATORY NO. 29. Identify all witnesses you expect to call during the trial testimony period.

RESPONSE:

Petitioner objects because this Interrogatory is unduly burdensome and premature. Petitioner has not yet made a determination as to the witnesses, if any, she intends to call in this proceeding.

September 3, 2010

Respectfully submitted,

AS TO OBJECTIONS



Phillip J. Mause
Jesse A. Witten
Jeffrey J. Lopez
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Counsel for Petitioners Amanda Blackhorse,
Marcus Briggs-Cloud, Phillip Gover, Jillian Pappan
and Courtney Tsotigh

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 3, 2010, he caused a copy of the foregoing Petitioner Courtney Tsotigh's Response To Respondent's First Set of Interrogatories to be served by first class mail upon the following:

Robert Raskopf
Claudia T. Bogdanos
Lori Weiss
Todd Anten
QUINN EMANUEL URQUHART & SULLIVAN, LLP
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Primary Headline

Welcome to the home of the Union Redskins – Union High School!

Say the word **Redskin** and you picture a group pulling together to create an everlasting bond. This group comes from all directions in the academic, athletic, extracurricular activity, and scholastic disciplines. Say the word **Redskin** and you picture a never-say-die warrior who was the first in all our history; a brave and sturdy chief who looks after what he has and is eager to take on and conquer what is in the future.

It is our mission to provide our community of learners with educational opportunities to acquire and develop the best possible academic, vocational, recreational, social, and participatory skills, enabling them to become valued, contributing members of a changing global society.

Union High School
6636 S. Mingo Road
Tulsa, Oklahoma 74133-3247

Office Hours: 7:30 a.m. - 4:00 p.m.

School Hours: Monday-Thursday: 8:15 a.m. - 3:20 p.m. / Friday: 8:40 a.m. - 3:20 p.m.

Main Phone	Attendance Numbers	Fax Numbers
(918) 357-4323	11th A-L (918) 357-7212	Registrar: (918) 357-7210
	11th M-Z (918) 357-7283	Activities: (918) 357-7100
	12th A-L (918) 357-7211	Attendance: (918) 357-7112
	12th M-Z (918) 357-7145	Campus Director: (918) 357-7256

CAMPUS DIRECTOR [Dave Stauffer](#)

Director of Student Life [Denise Vanladis](#)



Class Principal [Gart Morris](#)

Class Principal [Lisa Witcher](#)

Assistant Principal [Michelle Cundy](#)

Administrative Intern [Kelly Spencer](#)

Assistant Principal [Joshua Robinson](#)

Administrative Intern [Tony Tempest](#)

Student Activities [Phillippa Kelly](#)

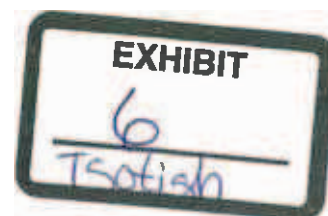
Resources - [Union Virtual Learning Academy](#)

- | | | | |
|------------------------------|------------------------------------|--|--|
| > Food Menu | > Grades | > Summer School | > Events Calendar |
| > Buses | > Test Scores | > Driver's Ed | > Daily Schedules |
| > Enrollment | > Course Offerings | > Student Assistance | > Student Organizations |
| > Handbook | > Credit Recovery | > National Honor Society | > Foreign Exchange Student Application |

Union High School is accredited by the North Central Association of Colleges and Schools. High standards for quality education are assured by membership in NCA. This accreditation is based on the High School's commitment to excellence and quality programs.

Philosophy of Education

We believe that Union High School has the responsibility to assist each student to develop his/her intellectual, physical, and moral potential as fully as possible so that



he may be a productive member of society and lead a personally satisfying life. We believe that education is a continuing lifelong process, encouraging curiosity and creativity, and that the results of the learning process may not be immediate or measurable but of enduring value.

Union High School Philosophy

The philosophy of Union High School is not static, but must be flexible enough to reflect the changing needs of the students and the community. In order to implement this philosophy, we believe that academic freedom as defined by the school and the community is essential in order to help both students and teachers live in a changing society.

We feel a strong obligation for helping create within each person respect for his own worth and for that of every human being. We believe that all students, regardless of ability, should have an opportunity for personal recognition and fulfillment in some phase of the educational process, be they academic, social, or civic. We recognize that an understanding of the democratic process is developed through study and participation. Furthermore, the involvement in the democratic process during adulthood should be an extension of these high school practices. We encourage pride in heritage, appreciation of diverse cultural backgrounds, and understanding of individual and national freedoms. We affirm that cultural, ethical, moral, and spiritual values are central to the home, but that the school also has a responsibility in defining and reinforcing those values vital to a democratic society.

School Goals

The overall instructional goals of Union High School are to develop the abilities of each student and to allow him/her to master the following basic academic competencies:

- Communication skills necessary for effective writing and speaking expression.
- Listening skills necessary for exchanging ideas critically and constructively.
- Skills necessary to read effectively and comprehend fully ideas presented through the written media.
- Skills required for understanding and using scientific principles and methods.
- Gain knowledge of numbers and acquire skills in the use of mathematical concepts.
- To have understanding and appreciation for the American heritage and other cultures through the world.
- Study skills to gain competency in acquiring knowledge for lifelong learning.
- Self-understanding and a feeling of self-worth.
- Good citizenship and an awareness of civic responsibility

Clubs/Extracurricular Activities

The High School also provides many extracurricular activities and organizations for students. These organizations include Academic Team, Art Club, Scottish Skins, Red Cross and more. Key Club, National Honor Society and Student Council are always actively seeking various community service projects and offer an abundance of manpower and enthusiasm.

Students also have many opportunities to participate in athletics, intramurals, spirit teams, drama, band, music, Leadership activities, community service and more. Many of the programs are nationally recognized. Assistant Principal Denise Vaniadis oversees the activities department and works closely with the Athletics Department and Fine Arts Departments on student life. If you have a question about activities or events at the high school, please call the main number and ask for the activities office.

For the exemplary record of leadership, service and activities that serve to





improve the school and community, Union High School was awarded a 2010 Gold Council of Excellence Award by the National Association of Student Councils. Union High School was one of only 118 schools nationwide to receive the honor. We are also proud to note that the Varsity Cheerleaders were **2010 National Champions**. The Highsteppers and Pom also ranked state-wide and nationally.

UNION HIGH SCHOOL ALMA MATER

Union High stands proud forever!
Loyalty rides high.
Memories, forget them never
As the years go by.
Friends, we make from year to year.
Watch as goals are reached
Union High will always be dear
To our destiny.

UNION HIGH FIGHT SONG

Union Redskins, hats off to thee
To our colors true will ever be,
Firm and strong united are we.
Rah, rah, rah, rah
Rah, rah, rah, rah
Loyal to Union High.

School History and Features

Union High School was built in 1972, moving secondary students out of the original Union school which housed kindergarten-12. The High School was originally 26,400 square feet with 30 classrooms, restroom facilities and offices. By 1985, eight additions had been made, enlarging the building to more than 12 times its original size. By the opening of the 1998-1999 school year, yet another addition, a 36-room classroom wing with a commons area, was readied for use. Patrons in the district have chosen to enlarge the current building rather than risk splitting the Union community by building a second high school.



The High School also features a 2,000 seat **Performing Arts Center** which accommodates student performances and occasionally plays host to well-known artists and community events. Thanks to voter support, the High School's fine arts department was renovated to include a new fine arts wing and staging area for the Renegade Regiment – Union's award-winning marching band. The PAC was renovated in 2009 and re-opened in 2010.

The High School also features a second theater space for smaller productions, baseball diamonds, a running track, practice rooms for wrestling, a gymnasium, newspaper and video production rooms, a dark room for photographers and even a special oven for art students working with ceramics. In fact, because the High School is so large Union is able to offer many more electives than smaller high schools.



Nearby on the same campus is the **Union Multipurpose Activity Center** (UMAC), a mid-sized venue unlike any other in the region. It includes a 5,600-seat multi-use arena, versatile floor space, the **UWear Spirit Store**, locker and dressing rooms, concessions, offices and the **SouthCrest Wellness and Sports Medicine Center**. Voters in the Union district overwhelmingly passed two consecutive bond issues to pay for the \$22-million building. After two years of construction, the UMAC opened its doors in November 2003.

Principal Biographies



Dave Stauffer was born and raised in San Antonio, Texas, and played collegiate baseball at Ranger Junior College in Texas and the University of Tulsa. He earned a Bachelor of Science in Education in 1976 from the University of Tulsa and a Masters of Education in 1992 from Northeastern State University. He is a member of the National Association of Secondary School Principals, Oklahoma Association of Secondary Principals and the Cooperative Council of Oklahoma School Administration.

Stauffer began his teaching career in 1977 and has taught multiple science disciplines and is a former Union Building Teacher of the Year. As a former head coach of baseball, softball and football, Stauffer has also sponsored Student Council, Fellowship of Christian Athletes and is a former national workshop presenter with the student incentive program, Renaissance. Following two years as Union's Assistant Principal he has served as the building principal since October of 1994 where Stauffer has overseen and helped coordinate multiple educational upgrades to the Union High School campus. He moved into his new position as Campus Director during the summer of 2011 as Union prepares for the sophomore class to join the junior and senior classes on the high school campus in the fall of 2012.

Stauffer is married to Jeanine a realtor with Cold Well Banker and is the father of three sons, three step-children and four grand children. Kyle, a 1998 Union graduate, J.D., a 2002 Union Graduate, former member of the United States Marine Corps and Jacob, Union class of 2004. Step-children Cody, Crystal, and Colt Koch, Union Class of 2015 as well as grand children Ellee, Preslee, Terrin and Talon help to fill Stauffer's time while away from school. Stauffer stays busy supporting Union activities and also enjoys the outdoors with boating, fishing, hunting, golf, motorcycling, traveling and other family activities.



Denise Vaniadis graduated from the University of Tulsa with a Bachelor of Arts degree in English and she earned her master's degree in secondary administration from Northeastern State University. She has spent the last 20 years of her career working with student activities at Union and teaching Leadership. She has served both the Oklahoma and National Associations of Student Councils in executive board roles and also served for 20 years as the director of the summer leadership training program. In 1995 she hosted the National Convention for the National Association of Student Councils and in 1997 she was named the National Student Council Advisor of the Year. She enjoys Redskin activities, reading and

knitting. She is also active in the First Baptist Church of Tulsa.



Michelle Cundy is a 1984 graduate of Westville High School. She completed her Bachelor of Science degree in business education from Northeastern State University and received her master's degree in education administration from the University of Oklahoma in 2008.

Cundy taught business and computers a total of 20 years including eight years at the Union 8th Grade Center. While teaching Cundy received certification as a Microsoft Office Expert and a Microsoft Certified Professional. She served as 10th Grade Academy Principal at the Union Intermediate High School for three years, before joining the administrative team at Union High School as assistant principal for the graduating Class of 2012.



Gart Morris has been in education since 1993. He earned his Bachelor of Education in Instrumental Music degree from the University of Arkansas and his master's degree in Educational Leadership from Southern Nazarene University.

Morris taught instrumental music for nine years in Oklahoma with his performing groups earning multiple superior ratings. In 2001, Morris was nominated by his peers and inducted into Phi Beta Mu, an honorary bandmasters fraternity. Morris began his administration career as an assistant principal in Liberal, Kan. He came to Union Schools in 2003, serving as assistant principal at Union Intermediate High School and then Union High School before being named class principal in 2011.

Joshua Robinson is a 2000 graduate of Union High School. He graduated with distinction from the University of Oklahoma in 2004 with a bachelor's degree in education and has been certified to teach secondary biology and life science. During college, Robinson served as student teacher and teacher's assistant for schools in Norman.

Robinson began his education career with Union in 2005 and has been teaching science at



the 8th Grade Center. He was named administrative intern for Union Intermediate High School in the summer of 2010 and assistant principal in 2011.

Kelly Spencer joined Union High School in August 2011 as an administrative intern for the 11th Grade Class. She is a graduate of Bartlesville Public Schools and the University of Oklahoma. Spencer received her bachelor's degree in film studies and her master's degree in educational administration and curriculum supervision.

Spencer taught sophomores, juniors and seniors for four years at McLain High School in Tulsa. She taught language arts, AP English Language and AP English Literature. She then served as the Learning Director for the TPS 8.5 Remediation Academy. During the 2010-2011 school year, Spencer served as assistant principal at the former Woodrow Wilson Middle School. Spencer serves as a national chair for NCA/CASI and travels both state and nation-wide as a nationally certified member of school accreditation committees for AdvancEd. Spencer is excited about the road ahead and becoming a part of the Union Public Schools family.



Tony Tempest was named Administrative Intern at Union High School in 2010, and assumed his duties January 2011. He is serving the students in the Class of 2013.

A 1994 graduate of Union High School, Tempest received his bachelor's degree in education and master's degree in administration from Northeastern State University. He is certified in physical education, earth/physical science and biology.

Tempest taught at Union Intermediate High School from 1998-2003 before leaving for stops at Stillwater and Owasso Public Schools. He returned to Union High school in 2007.



Lisa Witcher first joined the Union team at Union Intermediate High School as an assistant principal in 2002. In 2005, the Oklahoma Association of Secondary School Principals chose her to represent the state as the Assistant Administrator of the Year. She was named director of Professional Development in the spring of 2007. In June of 2011, Lisa was selected to become the principal for the class of 2013 at Union High School.

Witcher is a graduate of Oklahoma State University and the University of Central Oklahoma, earning a bachelor's degree in education and a master's degree in secondary administration. Witcher has served several school districts as an English teacher and coach and as an administrator. A 1999 graduate of the Principal's Academy, she is member of the Oklahoma Association of Secondary School Principals and the Association for Supervision and Curriculum Development.

Union Help Line

A safe and secure school environment is essential to the learning process. An important ingredient in achieving safe and secure schools remains alert eyes and ears. Safety is achieved when an atmosphere exists in which students are comfortable talking with adults about their concerns.

One such tool available for students is a Union Help Line that is open Monday through Friday from 7 a.m. to 9 p.m. to anyone who wants to report a concern. The caller may leave a message so his or her call can be returned, or they may choose not to be contacted. You can also call COPES if this is a mental health emergency.

Union HelpLine
918-461-HELP (4357)

COPES
918-744-4800





1 of 1 DOCUMENT

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The Oklahoman (Oklahoma City, OK)

August 12, 2006 Saturday
City Edition

SECTION: SPORTS; Pg. 1C

LENGTH: 560 words

HEADLINE: 'Redskins' challenged: Group finds name offensive;
OCU freshman petitions for change

BYLINE: Matt Patterson, Staff Writer

BODY:

Courtney Tsotigh is so proud of her American Indian heritage, she's willing to tackle the Washington Redskins and owner Daniel Snyder.

The Oklahoma City University freshman is one of six Native Americans who filed a joint petition Friday, with the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office, for the cancellation of the team's Redskins trademark logo. Tsotigh said she believes the name "Redskins" is offensive.

"Growing up as a Native American teenager, you face discrimination as any person of color does," Tsotigh said. "We can't change what happened in the past, but we can make it so we don't have to relive it now and in the future."

Efforts to eliminate the Redskins trademark have been ongoing since 1992, when a group of Native Americans protested before Super Bowl XXVI in Minneapolis when Washington faced Buffalo.

A petition was filed that same year led by Suszan Shown Harjo, president of the Morningstar Institute, a Native American advocacy group. In 1999 the group won a victory in front of the TTAB board which canceled the Redskins trademark registration on the grounds it was disparaging. An appeals judge reversed the decision in 2003, effectively allowing the team to keep its trademark.

Calls to the Washington Redskins office were not returned Friday.

Harjo said the team's ownership under the late Jack Kent Cooke and his son John refused to meet with those who voiced concerns about the name. Snyder has also refused to meet with the group.

Tsotigh, who is a member of the Kiowa tribe, hopes youth will play a part in convincing the team, or the courts, that the name is offensive.



'Redskins' challenged: Group finds name offensive; OCU freshman petitions for change The Oklahoman (Oklahoma City, OK) August 12, 2006 Saturday

"Hopefully they will take a look at it because younger people are involved they will see that we're putting a voice out there that is a voice of innocence," she said.

Tsotigh also believes if the Redskins drop their name, high schools and colleges will follow suit. Several state colleges have already changed Native American logos.

Northeastern State University, in Tahlequah, announced this year the school will drop its Redmen nickname in 2007.

Southeastern Oklahoma University, in Durant, announced last year it would change its mascot from Savages to Savage Storm.

In 1970, the University of Oklahoma dropped its Little Red mascot because of complaints from Native Americans.

"They're on the wrong side of history," Harjo said of the Redskins. "When OU dropped Little Red in 1970 there were 3,000 Native American references in sports. Today there are 900. That represents real societal change. They're going the way of the lawn jockeys."

Harjo said the true meaning of the term "redskin" has a deep historical context many are unaware of.

"It harkens back to a time when Indians were scalped for their skins," she said. "A bounty was placed on our body parts. Companies paid on a sliding scale for scalps and skins of Indians.

"It takes us back to that time. It would be unacceptable for there to be a sports team called the Yellowskins or the Blackskins or the Whiteskins."

For Tsotigh, the fight is personal. Her father John is an assistant principal at Capitol Hill High School. The school's nickname is the Redskins.

"I've voiced my concerns to him," she said. "They have shirts and other things with the name on it. I told him you're part of the administration and that he should put a voice out there about it."

LOAD-DATE: August 15, 2006

Redacted

— Forwarded Message —

From: Suzan Harjo <suzanharjo@mac.com>

To: Amanda Blackhorse <amandablackhorse@yahoo.com>; Marcus Briggs-Cloud <fekecvte@aol.com>; Phil Gover <phil.gover@gmail.com>; Shquanebin Lone-Bentley <slone-bentley@hotmail.com>; Jillian Pappan <jillianpappan@yahoo.com>; Courtney Tsotigh <ec421_coco@yahoo.com>; Courtney A. Tsotigh <ctsotigh.stu@okcu.edu>

Sent: Sunday, June 21, 2009 6:33 PM

Subject: CONFIDENTIAL - not for further distribution or publication

Dear Friends,

Do you know and can you recommend any Native person(s) who would like to be a plaintiff in the lawsuit who is now 17 and soon to turn 18? If so, please ask her or him or them to contact me by email. They would have to be 17, a tribal citizen, disparaged by the name of the Washington football club and interested in being represented on a pro bono basis in the lawsuit in which you are plaintiffs. Do not email this message. Anyone you communicate with should call (202-547-5531 or email me directly with their contact info and date/place of birth.

Also, if you do not know of anyone who fits the bill, please let me know that.

I hope this finds you all well and happy.

Aho.

Suzan

